



WP No.36243 of 2004

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.03.2024

CORAM

THE HON'BLE MR.SANJAY V.GANGAPURWALA, CHIEF JUSTICE

AND

THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

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Sri Achudhananda Nursery & Primary School
rep. By its Correspondent,
Govindhananda Swamigal
Pillayarpatti 630 207
Sivagangai District
Vs

: Petitioner

1.The State of Tamil Nadu,
rep. By its Secretary
Home (Transport) Department,
Fort St.George, Chennai 9

2.The Secretary,
The Regional Transport Authority
cum Regional Transport Officer,
Sivagangai District

: Respondents

Prayer: Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Declaration declaring Section 4(3) of the Tamil Nadu Motor Vehicles Taxation Act 13 of 2003 as ultravires, unconstitutional and void by substituting clause 8(a) of the First Schedule enhancing the tax for the petitioner's educational institution bus from Rs.500 per quarter to Rs.150/- per seat per quarter.



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For Petitioner : No appearance
For Respondents : Mr.A.Edwin Prabhakar,
State Government Pleader

ORDER

(Made by the Hon'ble Chief Justice)

None appears for the petitioner.

2. We have heard Mr.A.Edwin Prabhakar, learned State Government Pleader, for the respondents.

3. The petitioner seeks Declaration declaring Section 4(3) of the Tamil Nadu Motor Vehicles Taxation Act 13 of 2003 as ultra vires, unconstitutional and void by substituting clause 8(a) of the First Schedule enhancing the tax for the petitioner's educational institution bus from Rs.500/- per quarter to Rs.150/- per seat per quarter.

4. The learned State Government Pleader submits that the said provision is no longer in force.



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5. In view the same, the writ petition stands dismissed. There shall be no order as to costs.

(S.V.G., CJ.)

(D.B.C., J.)

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Index : Yes/No
Neutral Citation : Yes/No
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To

- 1.The Secretary
Home (Transport) Department,
Fort St.George, Chennai 9
- 2.The Secretary,
The Regional Transport Authority
cum Regional Transport Officer,
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